

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 1435

Short Title: Special Needs Children/Study.

(Public)

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Sponsors: Representative Boyd-McIntyre.

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Referred to: Rules, Calendar and Operations of the House.

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April 29, 1999

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A STUDY COMMISSION ON CHILDREN WITH SPECIAL NEEDS.

The General Assembly of North Carolina enacts:

Section 1.(a) There is established the Study Commission on Children With Special Needs. The Commission shall consist of 17 members, appointed as follows:

(1) Seven persons appointed by the Speaker of the House of Representatives, four of whom shall be members of the House of Representatives, and three of whom shall be public members, as follows:

- a. One member representing The Arc of North Carolina;
- b. One member representing the Exceptional Children's Assistance Center; and
- c. One member representing Carolina Legal Assistance;

(2) Seven persons appointed by the President Pro Tempore of the Senate, four of whom shall be members of the Senate, and three of whom shall be public members, as follows:

- a. One member representing The Education and Law Project;
- b. One member representing The Children's Law Center of Charlotte; and

1 c. One member representing Covenant with North Carolina's  
2 Children;

3 (3) Three persons appointed by the Governor, as follows:

4 a. One of whom is a parent of a special needs child;

5 b. One of whom is a public school teacher; and

6 c. One of whom is a member of the general public.

7 Each appointing authority shall assure insofar as possible that its appointees to  
8 the Commission reflect the composition of the North Carolina population with regard to  
9 ethnic, racial, age, gender, and religious composition.

10 Section 1.(b) The purpose of the Commission is to study issues related to  
11 meeting the educational needs of children with special needs, and in particular to study  
12 the alternative funding methods and the effects of the current twelve and one-half percent  
13 (12.5%) cap on funding for the education of children with special needs.

14 Section 1.(c) The Commission may make an interim report to the 1999 General  
15 Assembly, Regular Session 2000, upon its convening, and shall make its final report to  
16 the 2001 General Assembly upon its convening, and to the Governor. Upon submitting  
17 its final report the Commission shall expire. An interim report to the 2000 General  
18 Assembly may recommend proposed legislation.

19 Section 1.(d) Upon approval of the Legislative Services Commission, the  
20 Legislative Services Officer shall assign appropriate professional staff from the  
21 Legislative Services Office of the General Assembly to assist with the study. The House  
22 of Representatives' and the Senate's Supervisors of Clerks shall assign clerical staff to the  
23 Commission, upon the direction of the Legislative Services Commission. The  
24 Commission may meet in the Legislative Building or the Legislative Office Building  
25 upon the approval of the Legislative Services Commission.

26 Section 1.(e) The Speaker of the House of Representatives and the President  
27 Pro Tempore of the Senate shall each designate a cochair of the Commission. The  
28 Commission shall meet upon the call of the cochairs. A quorum of the Commission is  
29 nine members. While in the discharge of its official duties, the Commission has the  
30 powers of a joint committee under G.S. 120-19 and G.S. 120-19.1. Members of the  
31 Commission shall receive per diem, subsistence, and travel allowances in accordance  
32 with G.S. 120-3.1, 138-5, or 138-6, as appropriate.

33 Section 2. From appropriations to the General Assembly for the 1999-2000  
34 and 2000-2001 fiscal years, the Legislative Services Commission shall allocate funds for  
35 the expenses of the Study Commission on Children With Special Needs established in  
36 this act.

37 Section 3. This act becomes effective July 1, 1999.